

1 SQUIRE PATTON BOGGS (US) LLP
Eric J. Troutman (State Bar # 229263)
2 eric.troutman@squirepb.com
Emily L. Wallerstein (State Bar # 260729)
3 emily.wallerstein@squirepb.com
555 South Flower Street, 31st Floor
4 Los Angeles, California 90071
Telephone: +1 213 624 2500
5 Facsimile: +1 213 623 4581

6 Attorneys for Defendant
7 REVSPRING, INC.

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10

11 RACHEL BULETTE, individually and
on behalf of all others similarly situated,

12 Plaintiff,

13 v.
14

15 WESTERN DENTAL SERVICES, INC,
a California corporation and REVSPRING,
16 INC.,

17 Defendants.
18
19
20
21
22
23
24
25
26
27
28

Case No. 3:19-cv-00612-MMC

**[PROPOSED] ORDER ON
DEFENDANT REVSPRING, INC.'S
MOTION TO STAY PROCEEDINGS**

[PROPOSED] ORDER

On August 30, 2019, Defendant RevSpring, Inc. (“RevSpring”) filed a Motion to Stay Proceedings. Having reviewed and considered the parties’ respective papers and arguments and all other matters presented to the Court, and good cause appearing, **IT IS HEREBY ORDERED THAT:**

All proceedings in this matter are stayed pending rulings from the Federal Communications Commission (“FCC”) pursuant to its May 14, 2018 Public Notice seeking comment on, among other things, the definition of an automatic telephone dialing system. A stay of this action is appropriate pursuant to the primary jurisdiction doctrine. *Clark v. Time Warner Cable*, 523 F.3d 1110, 1114 (9th Cir. 2008); *Syntek Semiconductor Co. v. Microchip Tech. Inc.*, 307 F.3d 775, 780-81 (9th Cir. 2002); *Barrera v. Comcast Holdings Corp.*, 2014 U.S. Dist. LEXIS 65800 (N.D. Cal. May 12, 2014). Additionally, a stay of this action is also warranted pursuant to the Court’s inherent power to stay this action pending resolution of the FCC’s May 14, 2018 Public Notice. *Landis v. N. Am. Co.*, 299 U.S. 248, 254 (1936); *Bosia v. Ocwen Loan Servicing, LLC*, 2017 U.S. Dist. LEXIS 121786 (N.D. Cal. Aug. 2, 2017); *Bowden v. Contract Callers, Inc.*, 2017 U.S. Dist. LEXIS 52162 (N.D. Cal. Apr. 5, 2017).

IT IS SO ORDERED.

Dated: _____, 2019

The Honorable Maxine M. Chesney
United States District Judge